

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT LOUIS TUCKER, III,
Plaintiff,

v.

MR. COLEY REYNOLDS,
Defendant.

CIVIL ACTION NO. 19-CV-0912

FILED

MAR 11 2019

ORDER
By KATE BARKMAN, Clerk
Dep. Clerk

AND NOW, this 11th day of March, 2019, upon consideration of *pro se* Plaintiff Robert Louis Tucker, III's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 4), Complaint (ECF No. 2), and Motion for Reduction of Copies (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Tucker, #KG-0042, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Tucker, an initial partial filing fee of \$23.07 is assessed. The Superintendent or other appropriate official at SCI Frackville or at any other prison at which Tucker may be incarcerated is directed to deduct \$23.07 from Tucker's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 19-912. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at SCI Frackville or at any other prison at which Tucker may be incarcerated, shall deduct from Tucker's account, each time that Tucker's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money

credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 19-912.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of the SCI Frackville.

4. The Complaint is **DEEMED** filed.

5. Tucker's Complaint is **DISMISSED with prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons discussed in the Court's Memorandum. Tucker may not file an amended complaint in this matter.

6. Tucker's Motion for Reduction of Copies (ECF No. 3) is **DENIED as moot**.

7. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:



EDUARDO C. ROBRENO, J.